

**Notice of Allowability**

Application No.

10/002,405

Applicant(s)

EDLIS ET AL.

Examiner

Art Unit

JAMES C KERVEROS

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMENDMENT filed August 19, 2004.
2. ☒ The allowed claim(s) is/are 1-16 and 19-34, Renumbered as claims 1-32.
3. ☒ The drawings filed on 19 August 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*guy J. Lamarre*  
*Primary Examiner*

### **DETAILED ACTION**

1. This Office Action is in response to Amendment filed August 19, 2004, which was in reply to the Office Action dated May 20, 2004. Claims 17 and 18 are cancelled.

#### ***Allowable Subject Matter***

2. Claims 1-16 and 19-34 are allowed, renumbered as claims 1-32.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Caleb Pollack on January 18, 2005.

The application has been amended as follows:

In the Amendment filed August 19, 2004, the Claims have been amended as follows:

Claim 8, on line 2, the term "adapted" has been deleted.

Claim 11, on line 2, the term "adapted" has been deleted.

### **REASONS FOR ALLOWANCE**

4. The following is an examiner's statement of reasons for allowance:

The prior arts of record taken alone or in combination fail to teach, anticipate, suggest or render obvious the claimed invention for a method and apparatus for decoding an encoded block of data, including the claimed limitations, as amended, of performing backward iterative calculations on a first sub-block within some point of a second portion of a second sub-block based on results of a backward iterative calculation, recited in the independent claims 1 and 8.

Consequently, independent claims 1 and 8 are allowed over the prior arts of record. Claims 2-7 and 9-16 are directly or indirectly depended upon claims 1 and 8 and therefore are also allowable.

Also, the prior arts of record taken alone or in combination fail to teach, anticipate, suggest or render obvious the claimed invention for an apparatus and method, including the claimed limitations, as amended, of performing a forward and backward decoding on a first and second sub-blocks, wherein the backward decoding of the first sub-block is able to start within iterative calculations of a portion of the second sub-block, recited in the independent claims 19 and 30.

Consequently, independent claims 19 and 30 are allowed over the prior arts of record. Claims 20-29 and 31-34 are directly or indirectly depended upon claims XX and therefore are also allowable.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES C KERVEROS whose telephone number is (571) 272-3824. The examiner can normally be reached on 9:00 AM TO 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

U.S. PATENT OFFICE  
Examiner's Fax: (703) 746-4461  
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Date: 19 January 2005  
Office Action: Allowance

By: 

JAMES C KERVEROS  
Examiner  
Art Unit 2133

  
Primary Examiner